

**SENATE JOURNAL  
65TH LEGISLATURE  
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
April 20, 2017

Senate Chambers  
State Capitol

Senate convened at 10:30 a.m. President Sales presiding. Invocation by Senator Howard. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**BILLS AND JOURNALS** (Keenan, Chair):

4/20/2017

Correctly printed: **SR 68, HB 376, HB 661, HJ 16, HJ 17, HJ 20, HJ 24.**

Correctly engrossed: **HB 134, HJ 29.**

Correctly enrolled: **SB 73, SB 90, SB 119, SB 154, SB 317, SB 329, SR 64, SR 67.**

Examined by the sponsor and found to be correct: **SB 21, SB 73, SB 119, SB 245, SB 315, SB 317, SB 352, SR 62, SR 67.**

Signed by the President at 9:41 a.m., April 20, 2017: **SR 3, SR 20, SR 21, SR 43, SR 44, SR 59, SR 60, SR 61, SR 65.**

Signed by the President at 9:42 a.m., April 20, 2017: **SB 27, SB 227, SB 307, SJ 13, SJ 18.**

Signed by the President at 9:45 a.m., April 20, 2017: **SB 42, SB 92, SB 120, SB 126.**

Signed by the Secretary of the Senate at 9:55 a.m., April 20, 2017: **SB 27, SB 42, SB 92, SB 120, SB 126, SB 227, SB 307, SR 3, SR 20, SR 21, SR 43, SR 44, SR 59, SR 60, SR 61, SR 65, SJ 13, SJ 18.**

Signed by the President at 3:30 p.m., April 20, 2017: **SB 281, SB 314.**

Signed by the Secretary of the Senate at 3:35 p.m., April 20, 2017: **SB 281, SB 314.**

Signed by the Speaker at 4:45 p.m., April 20, 2017: **SB 281, SB 314.**

Delivered to the Governor at 4:58 p.m., April 20, 2017: **SB 281, SB 314.**

Delivered to the Secretary of State at 9:03 a.m., April 20, 2017: **SR 39, SR 45, SR 51, SR 58, SR 63, SR 66.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE, LIVESTOCK AND IRRIGATION** (Hoven, Chair):

4/20/2017

**HB 661**, be concurred in.

**PUBLIC HEALTH, WELFARE AND SAFETY** (Howard, Chair):

4/19/2017

**HJ 16**, be concurred in.

**HJ 17**, be concurred in.

**HJ 20**, be concurred in.

**HJ 24**, be concurred in.

Without objection, committee reports were adopted.

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**MESSAGES FROM THE OTHER HOUSE**

**Senate bill** concurred in and returned to the Senate: 4/19/2017

**SB 154**, introduced by M. Lang

**Senate bills** concurred in as amended and returned to the Senate for concurrence in House amendments: 4/19/2017

**SB 55**, introduced by D. Salomon

**SB 57**, introduced by M. Blasdel

**SB 95**, introduced by L. Jones

**SB 187**, introduced by J. Cohenour

**SB 261**, introduced by L. Jones

**SB 285**, introduced by M. Lang

**SB 345**, introduced by C. Smith

**SB 362**, introduced by E. Buttrey

**Senate bill** returned after the deadline for General Bills. Joint rule 40-200 requires a 2/3 vote of the Senate before the bill can be considered.

**SB 124**, introduced by McClafferty

**FIRST READING AND COMMITMENT OF BILLS**

The following Senate resolution was introduced, read first time, and referred to committee:

**SR 68**, introduced by D. Brown, referred to State Administration.

**MOTIONS**

Majority Leader Thomas moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 133**. Without objection, so ordered. President Sales appointed Senator Regier, chair, and Senators Fielder and Gross.

Majority Leader Thomas moved the Senate accede to the request of the House and appoint a Free Conference Committee on **HB 387**. Without objection, so ordered. President Sales appointed Senator Thomas, chair, and Senators Caferro and Olszewski.

Majority Leader Thomas moved the Senate accede to the request of the House and appoint a Conference Committee on **HB 434**. Without objection, so ordered. President Sales appointed Senator Hinkle, chair, and Senators Phillips and Welborn.

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Senator Thomas moved that **HB 376** be taken from the Education and Cultural Resources Committee and placed on second reading this date. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Small, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Mr.President.  
Total 26

Nays: Barrett, Boland, Caferro, Cohenour, Connell, Facey, Gross, Jones, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Smith F, Tempel, Vuckovich, Welborn, Whitford, Wolken.  
Total 24

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate recess until 1:00 p.m. Motion carried. Senate recessed at 10:50 a.m.

Senate reconvened at 1:03 p.m., President Sales presiding. Forty-eight members present, Senators Caferro and Richmond excused.

**REPORTS OF STANDING COMMITTEES**

**FINANCE AND CLAIMS** (Jones, Chair): 4/20/2017  
**HB 134**, be amended as follows:

1. Title, page 1, line 6 through line 21.

**Strike:** "REPURPOSING" on line 6 through "DATE" on line 21

**Insert:** "REVISING THE DISTRIBUTION OF EXCESS OIL AND NATURAL GAS REVENUE; AMENDING SECTIONS 17-7-502, 20-9-310, and 20-9-520, MCA; REPEALING SECTIONS 20-9-517 and 20-9-518, MCA; AND PROVIDING EFFECTIVE DATES"

2. Page 1.

**Following:** line 23

**Strike:** everything after the enacting clause

**Insert:** "**Section 1.** Section 17-7-502, MCA, is amended to read:

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**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-433; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; ~~20-9-517~~; 20-9-520; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 5, Ch. 244, L. 2013, the inclusion of 22-1-327 terminates July 1, 2017; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116

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and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; and pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023.)"

**Insert: "Section 2.** Section 20-9-310, MCA, is amended to read:

**"20-9-310. (Temporary) Oil and natural gas production taxes for school districts -- allocation and limits.** (1) Except as provided in subsection ~~(6)~~ (5), the maximum amount of oil and natural gas production taxes that a school district may retain is 130% of the school district's maximum budget, determined in accordance with 20-9-308.

(2) Upon receipt of school district budget reports required under 20-9-134, the superintendent of public instruction shall provide the department of revenue with a list reporting the maximum general fund budget for each school district.

(3) The department of revenue shall make the full quarterly distribution of oil and natural gas production taxes as required under 15-36-332(6) until the amount distributed reaches the limitation in subsection (1) of this section. The department of revenue shall deposit any amount exceeding the limitation in subsection (1) in the ~~state school oil and natural gas distribution account provided for in 20-9-520~~ guarantee account provided for in 20-9-622.

~~(4) (a) By the last day of the month immediately following the month in which the quarterly distribution of oil and natural gas production taxes in subsection (3) is made, the office of public instruction shall distribute any amount of oil and natural gas production taxes exceeding the limitation in subsection (1) based on allocations determined by the department of revenue pursuant to subsection (3) to school districts that are directly impacted by oil and natural gas development, but that receive insufficient oil and natural gas revenue to address the oil and natural gas development impacts. The office of public instruction shall adopt administrative rules to establish a process, criteria, and a mechanism for distribution under this subsection (4), using the negotiated rulemaking process set forth in the Montana Negotiated Rulemaking Act, Title 2, chapter 5, part 4.~~

~~(b) In developing administrative rules, the office of public instruction shall establish two independent negotiated rulemaking committees to consider issues for the purpose of reaching a consensus to develop proposed rules for the distribution of the funds under this subsection (4).~~

~~(c) The members of the first negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts that are located in or are immediately adjacent to a county in which oil and natural gas production taxes are generated and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding distribution of 50% of the funds available under this subsection (4) in accordance with 2-5-108.~~

~~(d) The members of the second negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts around the state and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding the distribution of the remaining 50% of the funds available under this subsection (4) in accordance with 2-5-108.~~

(5)(4) (a) Subject to the limitation in subsection (1) and the conditions in subsection (5)(b) (4)(b), the trustees shall budget and allocate the oil and natural gas production taxes anticipated by the district in any budgeted fund at the discretion of the trustees. Oil and natural gas production taxes allocated to the district general fund may be applied to the BASE or over-BASE portions of

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the general fund budget at the discretion of the trustees.

(b) Except as provided in subsection ~~(5)(e)~~ (4)(c), if the trustees apply an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior school fiscal year to the district's general fund BASE budget for the upcoming school fiscal year, then:

(i) the trustees shall levy the number of mills required to raise an amount equal to the difference between 12.5% of the oil and natural gas production taxes received by the district in the prior school fiscal year and the amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for the upcoming school fiscal year;

(ii) the mills levied under subsection ~~(5)(b)(i)~~ (4)(b)(i) are not eligible for the guaranteed tax base subsidy under the provisions of 20-9-366 through 20-9-369; and

(iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year and the number of mills calculated in subsection ~~(5)(b)(i)~~ (4)(b)(i) must be added to the number of mills calculated in 20-9-141(2).

(c) The provisions of subsection ~~(5)(b)~~ (4)(b) do not apply to the following:

(i) a district that has a maximum general fund budget of less than \$1 million;

(ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals 105% or less of its maximum general fund budget;

(iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year immediately preceding the fiscal year to which the provisions of this subsection ~~(5)(4)~~ would otherwise apply; or

(iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant to this section must first be applied by the district to payment of debt service obligations for oil and natural gas revenue bonds for the next 12-month period.

~~(6)(5)~~ The limit on oil and natural gas production taxes that a school district may retain under subsection (1) must be increased for any school district with an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314. The increase in the limit on oil and natural gas production taxes that a school district may retain under subsection (1) applies in the year immediately following the fiscal year in which the office of public instruction has approved the district's unusual enrollment increase and must be calculated by multiplying \$45,000 times each additional ANB approved by the superintendent of public instruction as provided in 20-9-314.

~~(7)(6)~~ In any year in which the actual oil and natural gas production taxes received by a school district are less than 50% of the total oil and natural gas production taxes received by the district in the prior year, the district may transfer money from any budgeted fund to its general fund in an amount not to exceed the amount of the shortfall. (Terminates June 30, 2019--sec. 7, Ch. 433, L. 2015.)

**20-9-310. (Effective July 1, 2019) Oil and natural gas production taxes for school districts -- allocation and limits.** (1) Except as provided in subsection (6), the maximum amount of oil and natural gas production taxes that a school district may retain is 130% of the school district's maximum budget, determined in accordance with 20-9-308.

(2) Upon receipt of school district budget reports required under 20-9-134, the superintendent of public instruction shall provide the department of revenue with a list reporting the

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maximum general fund budget for each school district.

(3) (a) The department of revenue shall make the full quarterly distribution of oil and natural gas production taxes as required under 15-36-332(6) until the amount distributed reaches the limitation in subsection (1) of this section.

(b) The department of revenue shall deposit any amount exceeding the limitation in subsection (1) in the state school oil and natural gas distribution account provided for in 20-9-520 up to \$5 million in the school facility and technology account provided for in 20-9-516.

(c) After \$5 million has been deposited in the school facility and technology account, the department of revenue shall deposit any amount exceeding the limitation in subsection (1) in the state school oil and natural gas distribution account provided for in 20-9-520.

~~(4) By the last day of the month immediately following the month in which the quarterly distribution of oil and natural gas production taxes in subsection (3) is made, the office of public instruction shall distribute any amount of oil and natural gas production taxes exceeding the limitation in subsection (1) based on allocations determined by the department of revenue pursuant to subsection (3) as follows:~~

~~———(a) 70% of the retained amount must be deposited in the guarantee account provided for in 20-9-622;~~

~~———(b) 5% of the retained amount must be deposited in the state school oil and natural gas impact account provided for in 20-9-517; and~~

~~———(c) 25% of the retained amount must be distributed to the counties in proportion to a county's oil and natural gas production taxes for the preceding 3 years compared to the total of all counties' oil and natural gas production taxes for the preceding 3 years. Funds distributed must be deposited in a county's county school oil and natural gas impact fund provided for in 20-9-518.~~

(4) (a) By the last day of the month immediately following the month in which the deposit of oil and natural gas production taxes pursuant to subsection (3)(c) is made, the office of public instruction shall distribute any amount of oil and natural gas production taxes exceeding the limitation in subsection (1) based on allocations determined by the department of revenue pursuant to subsection (3)(c) to school districts that are directly impacted by oil and natural gas development but that receive insufficient oil and natural gas revenue to address the oil and natural gas development impacts. The office of public instruction shall adopt administrative rules to establish a process, criteria, and a mechanism for distribution under this subsection (4), using the negotiated rulemaking process set forth in the Montana Negotiated Rulemaking Act, Title 2, chapter 5, part 1.

(b) In developing administrative rules, the office of public instruction shall establish two independent negotiated rulemaking committees to consider issues for the purpose of reaching a consensus to develop proposed rules for the distribution of the funds under this subsection (4).

(c) The members of the first negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts that are located in or are immediately adjacent to a county in which oil and natural gas production taxes are generated and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding distribution of 50% of the funds available under this subsection (4) in accordance with 2-5-108.

(d) The members of the second negotiated rulemaking committee appointed by the office of public instruction must include public school officials and public school employees from school districts around the state and professional organizations representing these public school officials and employees. This committee shall transmit proposed rules regarding the distribution of the

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remaining 50% of the funds available under this subsection (4) in accordance with 2-5-108.

(e) For the purposes of this subsection (4), the office of public instruction may use administrative rules adopted for the purposes of Chapter 433, Laws of 2015.

(5) (a) Subject to the limitation in subsection (1) and the conditions in subsection (5)(b), the trustees shall budget and allocate the oil and natural gas production taxes anticipated by the district in any budgeted fund at the discretion of the trustees. Oil and natural gas production taxes allocated to the district general fund may be applied to the BASE or over-BASE portions of the general fund budget at the discretion of the trustees.

(b) Except as provided in subsection (5)(c), if the trustees apply an amount less than 12.5% of the total oil and natural gas production taxes received by the district in the prior school fiscal year to the district's general fund BASE budget for the upcoming school fiscal year, then:

(i) the trustees shall levy the number of mills required to raise an amount equal to the difference between 12.5% of the oil and natural gas production taxes received by the district in the prior school fiscal year and the amount of oil and natural gas production taxes the trustees budget in the district's general fund BASE budget for the upcoming school fiscal year;

(ii) the mills levied under subsection (5)(b)(i) are not eligible for the guaranteed tax base subsidy under the provisions of 20-9-366 through 20-9-369; and

(iii) the general fund BASE budget levy requirement calculated in 20-9-141 must be calculated as though the trustees budgeted 12.5% of the oil and natural gas production taxes received by the district in the prior year and the number of mills calculated in subsection (5)(b)(i) must be added to the number of mills calculated in 20-9-141(2).

(c) The provisions of subsection (5)(b) do not apply to the following:

(i) a district that has a maximum general fund budget of less than \$1 million;

(ii) a district whose oil and natural gas revenue combined with its adopted general fund budget totals 105% or less of its maximum general fund budget;

(iii) a district that has a maximum general fund budget of \$1 million or more and has had an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year immediately preceding the fiscal year to which the provisions of this subsection (5) would otherwise apply; or

(iv) a district that has issued outstanding oil and natural gas revenue bonds. Funds received pursuant to this section must first be applied by the district to payment of debt service obligations for oil and natural gas revenue bonds for the next 12-month period.

(6) The limit on oil and natural gas production taxes that a school district may retain under subsection (1) must be increased for any school district with an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314. The increase in the limit on oil and natural gas production taxes that a school district may retain under subsection (1) applies in the year immediately following the fiscal year in which the office of public instruction has approved the district's unusual enrollment increase and must be calculated by multiplying \$45,000 times each additional ANB approved by the superintendent of public instruction as provided in 20-9-314.

(7) In any year in which the actual oil and natural gas production taxes received by a school district are less than 50% of the total oil and natural gas production taxes received by the district in the prior year, the district may transfer money from any budgeted fund to its general fund in an amount not to exceed the amount of the shortfall."

**Insert: "Section 3.** Section 20-9-520, MCA, is amended to read:

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**"20-9-520. State school oil and natural gas distribution account.** (1) There is a state school oil and natural gas distribution account in the state special revenue fund provided for in 17-2-102. The purpose of the account is for distribution of the oil and natural gas production revenue ~~exceeding the limitation in 20-9-310(4)~~ in accordance with 20-9-310(4). The funds deposited in this account for distribution to school districts ~~and counties~~ under 20-9-310(4) are statutorily appropriated as provided in 17-7-502.

(2) The department of revenue shall deposit in the account oil and natural gas production taxes ~~that exceed the limitations in~~ in accordance with 20-9-310.

(3) The superintendent of public instruction shall distribute the money from the account in accordance with 20-9-310(4)."

**Insert: "NEW SECTION. Section 4. Repealer.** The following sections of the Montana Code Annotated are repealed:

20-9-517. State school oil and natural gas impact account.

20-9-518. County school oil and natural gas impact fund."

**Insert: "COORDINATION SECTION. Section 5. Coordination instruction.** (1) If House Bill No. 647 and [this act] are both passed and approved, then [sections 1, 6, 10, 11, 12, 20, and 27(2)] of House Bill No. 647 are void.

(2) If Senate Bill No. 307 and [this act] are both passed and approved, then [section 14] of Senate Bill No. 307 is void. The Legislature intends that this subsection (2) supersede [section 14] of Senate Bill No. 307."

**Insert: "NEW SECTION. Section 6. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective July 1, 2017.

(2) [Section 5] and this section are effective on passage and approval."

And, as amended, be concurred in.

**JUDICIARY** (Regier, Chair):  
**HJ 29**, be amended as follows:

4/20/2017

1. Page 2, line 3.

**Following:** "including"

**Insert:** "but not limited to"

And, as amended, be concurred in.

Without objection, committee reports were adopted.

### MESSAGES FROM THE OTHER HOUSE

**SB 333** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on

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House amendments to **SB 333**:

4/20/2017

Representative Essmann  
Representative A. Hertz  
Representative Jacobson

**SB 363** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 363**:

4/20/2017

Representative Z. Brown  
Representative Cuffe  
Representative Noland

**SB 366** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 366**:

4/20/2017

Representative Brodehl  
Representative Court  
Representative Glimm

**HB 462** - The House dissolved the Conference Committee on Senate amendments to **HB 462**, and authorized the Speaker to appoint the following **Free** Conference Committee to confer on Senate amendments to **HB 462**:

4/20/2017

Representative Garner  
Representative D. Jones  
Representative McCarthy

**MOTIONS**

Senator McClafferty moved the Senate **suspend joint rule 40-200** for the purpose of accepting the late transmittal of **SB 124** from the House. The motion requires a two-thirds vote. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 40

Nays: Brown, Hinebauch, Hinkle, Howard, Keenan, Olszewski, Vance, Mr.President.

Total 8

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Absent or not voting: None.

Total 0

Excused: Caferro, Richmond.

Total 2

Majority Leader Thomas moved the Senate accede to the request of the House and authorize the President to appoint a Free Conference Committee on **HB 462**. Without objection, so ordered. The President appointed Senator Brown, chair, and Senators Blasdel and Wolken.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator R. Webb in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SB 285** - Senator Lang moved consideration of **SB 285** be passed for the day. Without objection, so ordered.

**SB 55 - House Amendments** - Senator Salomon moved House amendments to **SB 55** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, Howard, Jones, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Osmundson, Phillips, Pomnichowski, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vincent, Vuckovich, Webb, Whitford, Wolken, Mr. President.

Total 37

Nays: Blasdel, Brown, Fielder, Hinebauch, Hinkle, Kary, Moore, Regier, Smith C, Vance, Welborn.

Total 11

Absent or not voting: None.

Total 0

Excused: Caferro, Richmond.

Total 2

**HJ 20** - Senator Facey moved consideration of **HJ 20** be passed for the day. Without objection, so ordered.

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Senators Caferro and Richmond present at this time.

**SB 187 - House Amendments** - Senator J. Cohenour moved House amendments to **SB 187** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 48

Nays: Fielder, Hinebauch.  
Total 2

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 345 - House Amendments** - Senator C. Smith moved House amendments to **SB 345** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.  
Total 33

Nays: Barrett, Boland, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.  
Total 17

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 94 - Conference Committee Report No. 1** - Senator K. Regier moved the Conference Committee report to **SB 94** be adopted. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski,

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Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.  
Total 33

Nays: Barrett, Boland, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.  
Total 17

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HJ 16** - Senator Gross moved **HJ 16** be concurred in. Motion carried as follows:

Yeas: Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith F, Vuckovich, Welborn, Whitford, Wolken.  
Total 27

Nays: Ankney, Blasdel, Brown, Fielder, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Salomon, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Mr.President.  
Total 23

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**HJ 17** - Senator C. Smith moved **HJ 17** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Welborn, Whitford, Wolken.  
Total 43

Nays: Hinebauch, Howard, Keenan, Osmundson, Vance, Vincent, Mr.President.  
Total 7

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

**HJ 24** - Senator Caferro moved **HJ 24** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 38

Nays: Blasdel, Brown, Hinebauch, Howard, Kary, Keenan, Osmundson, Regier, Salomon, Vance, Vincent, Mr.President.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair R. Webb moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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**MOTIONS**

Majority Leader Thomas moved **SB 285** be returned to the second reading agenda. Without objection, so ordered.

Majority Leader Thomas moved that **SB 95**, **SB 124**, and **SB 261**, currently on the second reading board, be placed on second reading this date. Without objection, so ordered.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 376** - Majority Leader Thomas moved consideration of **HB 376** be placed at the bottom of the second reading board. Without objection, so ordered.

**SB 285 - House Amendments** - Senator Lang moved House amendments to **SB 285** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 95 - House Amendments** - Senator L. Jones moved House amendments to **SB 95** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan,

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Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 50

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 124 - House Amendments** - Senator McClafferty moved House amendments to **SB 124** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 49

Nays: Keenan.  
Total 1

Absent or not voting: None.  
Total 0

Excused: None.  
Total 0

**SB 261 - House Amendments** - Senator L. Jones moved House amendments to **SB 261** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.  
Total 50

Nays: None.  
Total 0

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Senator Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.  
Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

**MOTIONS**

Majority Leader Thomas moved the Senate authorize the President to appoint a **Free** Conference Committee on **SB 95** and request the House to appoint a like committee. Without objection, so ordered. President Sales appointed: 4/20/2017

Senator L. Jones, Chair  
Senator Moore  
Senator Sesso

Majority Leader Thomas moved the Senate authorize the President to appoint a **Free** Conference Committee on **SB 261** and request the House to appoint a like committee. Without objection, so ordered. President Sales appointed: 4/20/2017

Senator L. Jones, Chair  
Senator Moore  
Senator Sesso

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**SPECIAL ORDERS OF THE DAY**

Senator Eric Moore made his farewell remarks to the Senate.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate recess until 4:00 p.m. this day. Motion carried. Senate recessed at 1:54 p.m.

Senate reconvened at 4:00 p.m., President Sales, presiding. Senators Blasdel, Caferro, Hoven, and Whitford excused.

**REPORTS OF STANDING COMMITTEES**

**STATE ADMINISTRATION** (Brown, Chair):  
**SR 68**, be adopted.

4/20/2017

Without objection, committee report was adopted.

**REPORTS OF SELECT COMMITTEES**

**FREE CONFERENCE COMMITTEE**  
on **House Bill 462**  
Report No. 001, April 20, 2017

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 462** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 462** (reference copy -- salmon) be amended as follows:

1. Page 1, line 10.

**Following:** "FLATHEAD"

**Insert:** "valley"

2. Page 1, line 11.

**Following:** "COMMUNITY COLLEGE"

**Insert:** "or Montana state university-Billings"

**Following:** "FLATHEAD"

**Insert:** "valley"

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**Following:** "community college"

**Insert:** "or Montana state university-billings"

3. Page 1, line 12 through line 19.

**Strike:** "." on line 12 through "(B) OPERATES" on line 19

**Insert:** "allows the licensee to brew and sell beer to wholesalers as provided in this section. The academic brewer license:

(a) does not allow for the sale of beer at retail and does not allow for the operation of a sample room as provided in 16-3-213;

(b) is limited to production of 10,000 barrels annually;

(c) allows for distribution only to wholesalers as provided in 16-3-214;

(d) is under the ownership of Flathead valley community college or Montana state university-Billings;

(e) is not subject to quotas under 16-4-105 or to the provisions of 16-3-306;

(f) may not offer gambling activities;

(g) is otherwise subject to laws applying to brewery licenses as provided in this code; and

(h) must operate"

4. Page 1, line 20.

**Following:** "college"

**Insert:** "or Montana state university-Billings"

5. Page 1, line 21.

**Following:** "FLATHEAD"

**Insert:** "valley"

**Following:** "community college"

**Insert:** "or Montana state university-billings"

6. Page 1, line 24.

**Following:** "FLATHEAD"

**Insert:** "valley"

**Following:** "COLLEGE"

**Insert:** "or Montana state university-Billings"

7. Page 1, line 25.

**Following:** "trustees"

**Insert:** "or the board of regents of higher education, as applicable"

8. Page 1, line 27 through line 28.

**Following:** "to be held"

**Strike:** remainder of line 27 through "to be provided" on line 28

9. Page 2, line 2 through line 7.

**Strike:** subsection (4) in its entirety

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**Renumber:** subsequent subsections

For the Senate:

D. Brown, Chair  
Blasdel  
Wolken

For the House:

Garner, Vice Chair  
D. Jones  
McCarthy

**MESSAGES FROM THE GOVERNOR**

March 31, 2017

Senator Scott Sales, President  
Montana Senate  
Capitol Building  
Helena, MT 59601

Dear President Sales:

On Friday, March 31, 2017, I signed the following bills:

**SB 28** - C. Vincent  
**SB 62** - C. Wolken  
**SB 91** - J. Hinkle

I am returning **Senate Bill 189** - K. Regier, with amendments.

Sincerely,

STEVE BULLOCK  
Governor

April 3, 2017  
Senator Scott Sales, President  
Montana Senate  
Capitol Building  
Helena, MT 59601

Dear President Sales:

On Monday, April 3, 2017, I signed the following bill:

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**SB 79** - S. Fitzpatrick

I have vetoed **Senate Bill 264** - N. Swandal.

Sincerely,

STEVE BULLOCK  
Governor

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HJ 20** - Senator Gross moved **HJ 20** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Vuckovich, Webb, Welborn, Wolken.  
Total 37

Nays: Brown, Fielder, Hinebauch, Keenan, Osmundson, Thomas, Vance, Vincent,  
Mr. President.  
Total 9

Absent or not voting: None.  
Total 0

Excused: Blasdel, Caferro, Hoven, Whitford.  
Total 4

**HB 661** - Senator Vance moved **HB 661** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr. President.  
Total 46

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Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Caferro, Hoven, Whitford.  
Total 4

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Majority Leader Thomas moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.  
Total 46

Nays: None.  
Total 0

Absent or not voting: None.  
Total 0

Excused: Blasdel, Caferro, Hoven, Whitford.  
Total 4

### MOTIONS

Majority Leader Thomas moved that **SR 68** be placed on second reading this day. Without objection, so ordered.

Senators Blasdel and Hoven present at this time.

Majority Leader Thomas moved the Senate **suspend joint rule 40-50** to allow the Public Health, Welfare and Safety Committee to request a late committee bill draft for a resolution to study veteran community care. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Regier,

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Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Thomas, Vance,  
Vincent, Vuckovich, Webb, Welborn, Wolken.  
Total 45

Nays: Pomnichowski, Swandal, Mr.President.  
Total 3

Absent or not voting: None.  
Total 0

Excused: Hoven, Whitford.  
Total 2

Majority Leader Thomas moved the Senate **suspend S50-190**, the third reading rule, to allow all bills heard on second reading this date to be placed on third reading this date. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.  
Total 46

Nays: McNally, Smith F.  
Total 2

Absent or not voting: None.  
Total 0

Excused: Hoven, Whitford.  
Total 2

**REPORTS OF STANDING COMMITTEES**

**ENERGY AND TELECOMMUNICATIONS** (Ankney, Chair): 4/20/2017  
**SJ 31**, do pass.

Without objection, committee report was adopted.

**MESSAGES FROM THE OTHER HOUSE**

**Senate amendments to House bills** concurred in: 4/20/2017

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**HB 61**, introduced by F. Garner  
**HB 70**, introduced by J. Karjala  
**HB 77**, introduced by R. Brodehl  
**HB 94**, introduced by F. Garner  
**HB 141**, introduced by R. Lynch  
**HB 144**, introduced by Z. Brown  
**HB 205**, introduced by A. Redfield  
**HB 219**, introduced by Z. Brown  
**HB 224**, introduced by T. Jacobson  
**HB 245**, introduced by F. Mandeville  
**HB 283**, introduced by T. Burnett  
**HB 303**, introduced by K. Kelker  
**HB 368**, introduced by W. Sales  
**HB 383**, introduced by G. Custer  
**HB 458**, introduced by K. Wagoner  
**HB 487**, introduced by M. Funk  
**HB 507**, introduced by F. Mandeville  
**HB 550**, introduced by J. Essmann  
**HB 565**, introduced by R. Cook  
**HB 583**, introduced by K. White  
**HB 589**, introduced by D. Lenz  
**HB 600**, introduced by F. Garner  
**HB 604**, introduced by B. Harris

**Senate amendments to House joint resolution** concurred in:

4/20/2017

**HJ 9**, introduced by K. White

**SB 95** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 95**:

4/20/2017

Representative Ballance  
Representative Brodehl  
Representative Eck

**SB 261** - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 261**:

4/20/2017

Representative Ballance  
Representative Brodehl  
Representative Eck

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**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Caferro present at this time.

**HB 376** - Majority Leader Thomas moved consideration of **HB 376** be passed for the day. Without objection, so ordered.

**SR 68** - Senator D. Brown moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 68**. Resolution adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.  
Total 48

Nays: Fielder.  
Total 1

Absent or not voting: None.  
Total 0

Excused: Whitford.  
Total 1

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Majority Leader Thomas moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.

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Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 661** concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**HJ 20** concurred in as follows:

Yeas: Ankney, Barrett, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Welborn, Wolken.

Total 42

Nays: Blasdel, Fielder, Hinebauch, Osmundson, Vance, Vincent, Mr.President.

Total 7

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Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 55, as amended by the House**, passed as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vuckovich, Wolken.

Total 32

Nays: Blasdel, Brown, Fielder, Fitzpatrick, Hinebauch, Hinkle, Keenan, Moore, Olszewski, Osmundson, Regier, Smith C, Vance, Vincent, Webb, Welborn, Mr.President.

Total 17

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 187, as amended by the House**, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.

Total 47

Nays: Fielder, Hinebauch.

Total 2

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 94, Conference Committee Report No. 1**, adopted as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier,

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Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Mr.President.

Total 34

Nays: Barrett, Boland, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Wolken.

Total 15

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 124, as amended by the House**, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken.

Total 45

Nays: Hinebauch, Keenan, Olszewski, Mr.President.

Total 4

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 285, as amended by the House**, passed as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Wolken, Mr.President.

Total 49

Nays: None.

Total 0

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Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**SB 345, as amended by the House**, passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 32

Nays: Barrett, Boland, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**HJ 16 failed** as follows:

Yeas: Barrett, Boland, Caferro, Cohenour, Connell, Facey, Gauthier, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Olszewski, Phillips, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Vuckovich, Wolken.

Total 24

Nays: Ankney, Blasdel, Brown, Buttrey, Fielder, Fitzpatrick, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Osmundson, Regier, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 25

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**HJ 17 concurred in** as follows:

Yeas: Ankney, Barrett, Blasdel, Boland, Brown, Buttrey, Caferro, Cohenour, Connell, Facey,

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Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Wolken.

Total 42

Nays: Hinebauch, Howard, Osmundson, Vance, Vincent, Welborn, Mr.President.

Total 7

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**HJ 24** concurred in as follows:

Yeas: Ankney, Barrett, Boland, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hoven, Kary, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Phillips, Pomnichowski, Richmond, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vuckovich, Webb, Wolken.

Total 34

Nays: Blasdel, Brown, Hinebauch, Hinkle, Howard, Jones, Keenan, Lang, Osmundson, Regier, Salomon, Vance, Vincent, Welborn, Mr.President.

Total 15

Absent or not voting: None.

Total 0

Excused: Whitford.

Total 1

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 9:30 a.m., Friday, April 21, 2017, the eighty-second legislative day. Motion carried.

Senate adjourned at 4:45 p.m.

MARILYN MILLER  
Secretary of the Senate

SCOTT SALES  
President of the Senate